

# SENATE BILL 163

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CF HB 148

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By: **Senators Brinkley ~~and Young~~, Young, and Middleton**

Introduced and read first time: January 24, 2011

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 22, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Charles County and Frederick County – ~~Board~~ Boards of Elections –**  
3 **Membership**

4 FOR the purpose of increasing the number of regular members and eliminating  
5 substitute members on the Charles County Board of Elections and the Frederick  
6 County Board of Elections; requiring the members of the ~~board~~ boards to be of  
7 certain political parties; requiring that a vacancy on the ~~board~~ boards be filled  
8 in a certain manner; making a conforming change; making a stylistic change;  
9 providing for the effective date of this Act; and generally relating to the Charles  
10 County Board of Elections and the Frederick County Board of Elections.

11 BY repealing and reenacting, without amendments,

12 Article – Election Law

13 Section 2–201(a) and (b) and 2–204(a)(9) and (11)

14 Annotated Code of Maryland

15 (2010 Replacement Volume)

16 (As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

17 BY repealing and reenacting, with amendments,

18 Article – Election Law

19 Section 2–201(l) and 2–204(b)(2)(ii)

20 Annotated Code of Maryland

21 (2010 Replacement Volume)

22 (As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Election Law**

4 2–201.

5 (a) (1) There is a county board of elections in each county of the State.

6 (2) Each local board and its staff is subject to the direction and  
7 authority of the State Board and is accountable to the State Board for its actions in all  
8 matters regarding the implementation of the requirements of this article and any  
9 applicable federal law.

10 (b) (1) Except as provided in subsections (j), (k), and (l) of this section,  
11 each local board consists of three regular members and two substitute members.

12 (2) Two regular members and one substitute member shall be of the  
13 majority party, and one regular member and one substitute member shall be of the  
14 principal minority party.

15 (3) Except as provided in subsection (l) of this section, in the event of  
16 the absence of a regular member or a vacancy in the office of a regular member, the  
17 substitute member of the same political party shall exercise the powers and duties of a  
18 regular member until the regular member returns or the vacancy is filled as  
19 prescribed in subsection (h) of this section.

20 (l) (1) In **CHARLES COUNTY, FREDERICK COUNTY, SOMERSET**  
21 **COUNTY, Wicomico County, AND Worcester County, [and Somerset County,]** the local  
22 board consists of five regular members.

23 (2) Three regular members shall be of the majority party, and two  
24 regular members shall be of the principal minority party.

25 (3) (i) If a vacancy occurs on the local board, the Governor shall  
26 appoint an eligible person from the same political party as the predecessor member to  
27 fill the vacancy in accordance with subsection (g) of this section for the remainder of  
28 the unexpired term and until a successor is appointed and qualifies.

29 (ii) An appointment made while the Senate of Maryland is not  
30 in session shall be considered temporary until the appointee is confirmed by the  
31 Senate.

32 2–204.

1 (a) Each regular member of a local board shall receive the salary and  
2 reimbursement of expenses provided in the county budget, but in no event may the  
3 annual compensation be less than the following amounts:

4 (9) in Charles County, \$800;

5 (11) in Frederick County, \$5,500 for the president and \$5,000 for other  
6 regular members;

7 (b) (2) (ii) 1. In Baltimore City, a substitute member shall be paid  
8 \$200 for each meeting that the substitute member attends.

9 2. In Calvert County, a substitute member shall be paid  
10 at least \$50 for each meeting that the substitute member attends.

11 3. [In Frederick County, a substitute member shall be  
12 paid \$4,500 annually.

13 4.] In Garrett County, a substitute member shall be paid  
14 the amount set by the County Commissioners under Chapter 91 of the Public Local  
15 Laws of Garrett County.

16 [5.] 4. In Kent County, a substitute member shall be paid at  
17 least \$50 for each meeting that the substitute member attends.

18 [6.] 5. In Washington County, a substitute member shall be  
19 paid \$75 for each meeting that the substitute member attends.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 ~~October 1~~ June 6, 2011.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.